

March 30, 1979

LB 327

Committee, LB 61. Lincoln had that bill in last year to adjust to the statewide ten acres. Lincoln is the only area in the state that has five acres left and they wanted ten acres. Now that bill is a little bit stalled in the Urban Affairs Committee and now Senator Schmit comes with the amendments from the Ag Committee to adjust Lincoln. All right, then take the whole state down to five acres. That is what the issue really is about. I think I will support Senator Warner's amendment.

PRESIDENT: The Chair recognizes Senator Schmit.

SENATOR SCHMIT: Members of the Legislature, first of all, my good friend, colleague, Senator Wesely, we are not doing a darn thing with the City of Lincoln. It is either first or second class cities and villages. So, notwithstanding your good intentions and your sincere desire to help out the City of Lincoln, you are not helping the City of Lincoln a darn bit. Secondly you talk about conformity, the present law, and I want you all to listen who are jumping on the bandwagon, including Senator George, Senator Newell, Senator Fowler, all the rest of you, that present law regarding second class cities is vague. There is no definition in the law that says it shall be ten acres. That is why we specified five acres. We could have chosen ten but there is no specification in the law at the present time that says it shall be ten acres. We are not changing that. We are defining for the benefit of second class cities and villages the five acre limitation. Now Senator George is concerned about the fact that the bill did not come before the Urban Affairs Committee. Well, there are all kinds of strange things happening in this body. 327 did not meet in its original form the wishes of the League of Municipalities. So in bowing to the wishes of the League of Municipalities, the Ag and Environment Committee chose to assist that fine group of people and solve some of the problems that beset the second class cities and villages so we brought out this bill. Now in regard to urban sprawl, it has been well defined in the past and Senator Stoney and I have argued this point a number of years, last year. The problem of urban sprawl is not solved by moving to the ten acre limitation. You only aggravate it. You do not prevent, you do not in any way prevent urban sprawl. You only accelerate it twice as fast as you do with the five acre limitation. I hope that Senator Wesely will listen very closely because he is very deeply concerned about this. The facts are that when the limitation reads ten acres, the only people you will limit to the ten acre are the very wealthy people who can afford to go out and buy ten acres of land, build their \$200,000 house,